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## DIGEST OF OTHER RECENT VIRGINIA DECISIONS.

Supreme Court of Appeals.

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RANKIN v. GOODWIN.

Sept. 29, 1904.

[48 S. E. 521.]

FRAUDULENT CONVEYANCES—DEED FROM HUSBAND TO WIFE—BURDEN OF PROOF.

1. As against creditors of an insolvent, who after accrual of his liability makes a conveyance to his wife, she has the burden of proving by clear and satisfactory evidence that the purchase was in good faith, and that the consideration was paid out of her separate estate.

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TRUMBO et al. v. FULK et al.

Sept. 29, 1904.

[48 S. E. 525.]

DEMURRER—DEED FOR LIFE—RESULTING TRUST—COLLATERAL ATTACK OF DECREE.

1. A demurrer, while admitting as true all facts properly pleaded, does not admit conclusions of law from the facts in the pleading.

2. A deed in terms to E. for life, with remainder to her children by G., gives her only a life estate, though reciting that G., the purchaser, asked that the deed be made to E.

3. Though the purchase money for land, which a bankrupt bought at his assignee's sale was furnished by his wife, and though he asked that the deed be made to her, the fact that the deed was made to her for life, with remainder to her children by such husband, in the absence of any other controlling fact or circumstance, repels any presumption of an intention on her part that a trust should result in favor of her, or of her heirs generally.

4. G., a bankrupt, purchased land at a sale of his assignee, and the deed was made in terms to E. for life, with remainder to her children by G., the order of the bankruptcy court reciting that the court, having inspected the deed, decreed that it be in every respect confirmed and approved. *Held*, that to grant partition of the land to the children of E. by her first husband as well as to those by G., her second husband, in a suit between them after her death, because E. had furnished the purchase money and G. had requested that the deed be made to E., would be, in effect, to annul, in a collateral proceeding, the decree of the bankruptcy court.